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## REQUEST

FOR

## CONTINUED EXAMINATION (RCE)

## TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/588,211
Filing Date	June 6, 2000
First Named Inventor	Francis Koperda
Group Art Unit	2142
Examiner Name	Jason D. Cardone
Attorney Docket Number	A-6551

**This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCE's (not to be submitted to the USPTO) on page 2.

1. ☐ Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously Submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the amendment(s) reply under 37 CFR 1.116 previously filed on
- ii. ☐ Other:
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other:
2. ☐ Miscellaneous
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required).
- b. ☐ Other:
3. ☐ Fees
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 20-0778.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) (for 2 months)
- iii. ☐ Other:
- b. ☐ Check in the amount of \$ enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Christopher D. Guinn	Registration No. (Attorney/Agent)	54,142
Signature		Date	8/11/04

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Christopher D. Guinn	Date	8/11/04
Signature			

This collection of information is required by 37 CFR 1.114. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1455, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

# AMENDMENT TRANSMITTAL LETTER (LARGE)

Applicant(s): Koperda, et al.

AUG 16 2004

Docket No.

A-6553 - (191910-1061)

Serial No.  
09/588,211

Filing Date  
June 6, 2000

Examiner  
Jason D. Cardone

Confirmation No.  
9999

Group Art Unit  
2142

Invention: **SYSTEM AND METHOD FOR PROVIDING STATISTICS FOR FLEXIBLE BILLING N A CABLE ENVIRONMENT**

Commissioner for Patents  
Mail Stop RCE  
P.O. Box 1450  
Alexandria VA 22313-1450

Transmitted herewith is the Fifth Response with Amendments and Remarks in the above-identified application.

The fee has been calculated and is transmitted as shown below

## CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	7 -	-28 =	0	X \$18.00	\$0
INDEP. CLAIMS	1 -	-5 =	0	X \$86.00	\$0
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				\$145.00	\$0
EXTENSION FEE	1 <sup>ST</sup> MONTH <input type="checkbox"/> 110.00	2 <sup>ND</sup> MONTH <input checked="" type="checkbox"/> 420.00	3 <sup>RD</sup> MONTH <input type="checkbox"/> 950.00	4 <sup>TH</sup> MONTH <input type="checkbox"/> 1,480.00	\$420.00
Other Fees: RCE					\$770.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$1190.00

- ☐ No additional fee is required.
- ☒ Please charge Deposit Account No. 20-0778 in the amount of \$1190.00 (770 for RCE; 420 for 2 mo. EOT). A duplicate copy of this page is enclosed.
- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☐ A Credit Card Payment Form PTO-2038 is attached in the amount of \$ \_\_\_\_\_
- ☒ The Director is hereby authorized to charge any deficiencies of the above fees or credit any overpayment to Deposit Account No. 20-0778.

  
Christopher D. Guinn, Reg. No. 54,142

8/11/04  
Date

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Koperda, *et al.*

Serial No.: 09/588,211

Filed: June 6, 2000

For: **SYSTEM AND METHOD FOR  
PROVIDING STATISTICS FOR  
FLEXIBLE BILLING IN A CABLE  
ENVIRONMENT**



Group Art Unit: 2142

Examiner: Jason D. Cardone

SA Ref. No.: A-6553

TKHR Ref. No.: 191910-1061

**FIFTH RESPONSE WITH AMENDMENTS AND REMARKS**

Mail Stop: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Advisory Action mailed August 6, 2004 (Paper No. 20040804) has been carefully considered. In response thereto, please consider the following remarks.

**REQUEST FOR CONTINUED EXAMINATION**

In accordance with 37 U.S.C. §1.114, a Request For Continued Examination (RCE) is filed concurrently with this response so that the Office Action mailed is effectively made non-final. Under 37 U.S.C. §1.114, the effect of the RCE, which makes the instant Office Action non-final, is to cause examination of the instant application to remain open. Accordingly, amendments and new claims submitted herein are to be entered as a matter of right, and each claim is entitled to continued examination.